



**WOODSTOCK PLANNING & ZONING COMMISSION
REGULAR MONTHLY MEETING
THURSDAY, JANUARY 16, 2014 at 7:30 P.M.
WOODSTOCK TOWN HALL, MEETING ROOM 1**

MINUTES

I. MONTHLY MEETING AT 7:30 PM

- a. **Call to Order** – Meeting was called to order by Chair Gordon at 7:34 P.M.
 - b. **Roll Call** – Dave Fortin, John Anastasi, Gail Dickinson, Jeff Gordon, Delia Fey, Fred Rich, Syd Blodgett, Doug Porter, Lynne White, Joseph Adiletta, Dexter Young and Dorothy Durst.
 - Absent:** Travis Sirrine
 - Others Present:** Patricia Lacasse (PZC Clerk), and others as noted in the minutes.
- It is noted for the record that there is a quorum for PZC to conduct business.

II. CITIZENS' COMMENTS – None.

III. CHAIR'S REPORT

- a. Chair Gordon thanked the Commissioners for their attendance tonight and for coming each month and he thanked the subcommittee members as well.
- b. He thanked Delia Fey and Tina Lajoie for their continued hard work and Patty Lacasse for recording and transcribing the minutes.
- c. Lastly, he reminded everyone about the Annual Legal Training Session which will be March 27, 2014, at 7:30 P.M. at the town hall. This invitation is also extended to the Zoning Board of Appeals. He stated that if anyone has any questions for the Town Attorney to please send the questions to Delia Fey by February 20, 2014, so the Town Attorney can review each question to provide answers at the training session. Of course, if anyone has something that comes up which they feel is important after that date they can let Ms. Fey know.

IV. DESIGNATION OF ALTERNATES – None.

V. MINUTES

Meeting Minutes – December 19, 2013.

MOTION TO APPROVE THE MINUTES AS PRESENTED BY DAVE FORTIN, SECONDED BY GAIL DICKINSON. MOTION TO APPROVE WITH NO CHANGES. SYD BLODGETT ABSTAINED.

VI. NONRESIDENTIAL ZONING PERMIT

Hyde School, 150 Route 169 – Addition of ADA compliant restrooms. Ms. Fey reviewed the plan for the PZC and stated that the only bathrooms available for the cultural center are in an area where attendees would have to cross an open space and up a stairway and they are not handicap accessible. The plans are for handicap accessible bathrooms at the back of the building. The applicant, Gary Giambattista, Facilities Director, was present to answer any questions. Mr. Giambattista thanked PZC for giving this project their prompt attention and for Ms. Fey's help. He stated that this is a project that they feel is very important for the school and for the surrounding towns to use the theater. They have owned the property for some time and are finally able to fund this important addition. It was confirmed that the application fees have been paid, NDDH approval was granted and the Woodstock Fire Marshal has reviewed the plans and given his favorable report.

MOTION TO APPROVE ZONING PERMIT MADE BY GAIL DICKINSON, SECONDED BY JOHN ANASTASI. MOTION PASSED UNANIMOUSLY.

VII. NEW BUSINESS

- a. #SP575-07-11M Linemaster Switch Corp., 29 Plaine Hill Road – Proposal for event center. Ms. Fey stated that the applicant received approval for a special permit in 2007 for use of the restaurant and mansion as a bed and breakfast and now they would like to construct a 7,900 square foot separate building on the property adjacent to the mansion to be used as a banquet facility. Chair Gordon stated that this is a modification of a special permit and he asked Ms. Fey what is needed to complete the application. She stated that the application is substantially complete and they are still awaiting approval or confirmation from/for: NDDH B-51d, WPCA for sewer connection, CT DEEP (this property is a past superfund site and has been remediated), and a decision from ZBA to be decided

at their January 28, 2014 meeting. It was noted that the ZBA variance approval would be required in order for PZC to approve this modification. The applicant was present. Joe Carlone, the owner and operator of Linemaster, thanked the Commission, offered to answer any questions, and confirmed that everything would be completed as required. PZC discussed how they will proceed should the applicant be unable to meet the requirements and the options, to either postpone the public hearing to the March PZC meeting or deny the application. It was confirmed by Ms. Fey that the applicant was made aware of this prior to tonight's meeting and she is confident that the remaining pending items, including some minor clarifications of the site plan, can be addressed in time for the public hearing of Feb. 20th.

MOTION MADE BY GAIL DICKINSON, SECONDED BY JOE ADILETTA TO SCHEDULE A PUBLIC HEARING FOR FEBRUARY 20, 2014, AT 8:00 P.M. MOTION PASSED UNANIMOUSLY.

MOTION MADE BY DAVE FORTIN, SECONDED BY JOHN ANASTASI TO MOVE ITEMS X, a. AND X. b. ON THE AGENDA TO ITEMS VIII, a. AND VIII, b. FOR THE PURPOSE OF WAITING FOR THE START OF THE PUBLIC HEARING AT 8:00 P.M. MOTION PASSED UNANIMOUSLY.

VIII. ZEO REPORT (formerly X, a. and X, b. on the agenda)

a. Report on Zoning Enforcement – January 2014:

Ms. Fey reported on Zoning Enforcement updates.

- 4 Perrin Road – Property owner has indicated that he is still working on cleaning up the property.
- 450-580 Brickyard Road – Several unregistered vehicles, a circus sized tent to be used as a garage without permits and has referred to the property as a Wounded Warrior Woodstock Resort online. Ms. Fey stated that she is not sure if the resort is a violation as it appears to be part of a nonprofit. She issued the violation on January 8, 2014.

b. Report on Zoning Permits– January 2014

MOTION MADE BY FRED RICH, SECONDED BY SYD BLODGETT TO MOVE ITEMS XI, a. AND XI, b. ON THE AGENDA TO ITEMS IX, a. AND IX, b. FOR THE PURPOSE OF WAITING FOR THE START OF THE PUBLIC HEARING AT 8:00 P.M. MOTION PASSED UNANIMOUSLY.

IX. BUDGET REVIEW AND BILLS (formerly XI, a. and XI, b. on the agenda)

a. Bills – Chair Gordon stated that there are no bills that require a vote, however, there are 2 bills from Stonebridge Press, Inc. and 1 legal bill from Updike, Kelly Spellacy, P.C. not requiring a vote if anyone had any questions.

b. Budget review – Chair Gordon stated that they did approve and send in the proposed budget for FY 2014-2015 which represents a 0% increase.

Chair Gordon also stated that at the last P&Z meeting a question was asked by Mr. Adiletta about the total cost of legal bills for last fiscal year. He stated that the total was \$13,441.17 for the Chamberlin Family Land Trust which not only were they successful in defending this lawsuit, but they were successful in defending the appeal. Mr. Adiletta requested to see what the annual expenditures on legal fees are for the PZC. Chair Gordon stated that he can request this information.

MOTION WAS MADE BY DAVE FORTIN, SECONDED BY FRED RICH TO RECESS THE MEETING UNTIL 8:00 P.M. FOR THE PUBLIC HEARING. MOTION PASSED UNANIMOUSLY.

X. PUBLIC HEARING AT 8:00 P.M. (Formerly VIII. on the agenda)

#SP618-12-13 Mark Reynolds, 835 Route 169 (Map 7280, Block 29, Lot 57) – Proposal for off-road motorcycle events – Chair Gordon opened the public hearing at 8:08 P.M. and provides the guidelines for conducting the public hearing. He begins by asking PZC about any communication that they may have received directly concerning the public hearing that should have come through the Town Planner, Delia Fey. The following Commissioners stated for the record that they received communication through email and/or postal service that were unopened, deleted or forwarded to the Town Planner: Chair Gordon, Dorothy Durst, Dave Fortin, Gail Dickinson, Fred Rich, Syd Blodgett, Doug Porter, Lynne White, Joseph Adiletta, Dexter Young. Gail Dickinson also had someone approach her about the public hearing and she stated she could not discuss it. Doug Porter commented that in addition to emails, he received phone calls at his home, told them to attend the public hearing, and he received a letter from Frank Converse that he was asked to deliver since they could not attend the meeting.

Chair Gordon, stated for the record, that there are additional documents that have been sent to the town hall that will be noted and logged in and legal notices were published in the Woodstock Villager on January 3 and 10, 2014, as required. It was confirmed by Delia Fey that all application fees have been paid and the applicant has posted 2 signs for the public hearing. Ms. Fey stated that a report from the Fire Marshal dated January 16, 2014 was received, and he is present to answer any questions and that Woodstock does not have a noise ordinance. Further, in order for the town to have an ordinance, they have to go through CT DEEP and have an ordinance written up and voted on at a town meeting. In addition, the statement pertaining to the Special Permit Evaluation Criteria that was missing has been submitted. Lastly, the property does not meet the definition of a Critical Watershed Land.

The applicant, Mark Reynolds, was present for discussion and to answer any questions. He thanked the Commission and he understands that this is a controversial proposal and he hopes to answer everyone's questions. Mr. Reynolds read his proposal, for the record, and a brief synopsis is as follows: They are proposing to hold an off-road motorcycle trail race on family property located at 835 Route 169. This will be a 1 day event held twice yearly. All activities during the event will be held during daylight hours and the events are tentatively scheduled for 1 race in February and 1 race in November. Participation is estimated to be between 200-450 people depending on weather and time of year. This event will help to raise funds to pay for property taxes to continue to keep an 8th generation family property undeveloped and still used for agriculture, as it is now. He stated that they will also make contributions to the local volunteer fire department and other local nonprofit organizations. They will use a pre-existing trail approximately 2 miles in length and the entire course and spectator area will be ribboned off for safety reasons. The event will consist of 6 motos running in the morning and again in the afternoon. Each moto will have an estimated 20-30 motorcycles at a time, during the winter event, and 40-50 during the fall event. Traffic will be directed by a constable via the established driveway into the rear of the parking area to keep the flow of traffic moving smoothly. All parking will be located in the corn field and no parking will be allowed on the street. Portable toilets and trash receptacles will be available on site. An ambulance crew will be on site from start of the event to completion, also safety crews will be working throughout the event to be sure trails are safe and secure. They will be inviting local establishments and nonprofits to set up as food vendors, and all food vendors will be required to have state and town permits as well as fire extinguishers before setting up. No alcohol will be allowed on the property. There will be no artificial lighting, no grandstands, no music and no loudspeakers at this event. He concluded that these events will not change the look of the property and any needed repairs or cleanup will be taken care of in the following weeks after the events.

Questions from PZC to the applicant:

- What are the hours of operation? 9:00 A.M. until 4:00 P.M. with nothing occurring before 8:00 A.M. or after 5:00 P.M.
- 200-450 participating members or spectators? Participating members, depending on weather. Maybe up to 550 on a nice day. Races are run in 10 minute intervals. There are 20 to 30 per race in the winter and then 40 to 50 in the fall.
- Noise levels, silencers and decibel level for bikes? Depending on the size of the bike, larger bikes are usually around 98 decibels. Organization does not require certain sound level but they will do their best to keep the noise down.
- Is this property under the PA 490? A portion of the track is. It would be up to the assessor as to whether this would remain with this "Change of Use".
- Will the track be used for practice in between events? No, the track is not open to the public.
- Will John Day Off-road Racing organize the event? Yes.
- Will the spectator area be separated or ribboned off? Yes, the 2 mile track has ribbon all the way around it. Property is also bordered with stone walls to keep people from going beyond their property.
- How will people be kept track of once they enter the property? People are required to sign in, are issued wrist bands and must sign a waiver of responsibility.

It was noted that NDDH does not need to give approval for the event but for the food vendors. Putnam Water & Sewer were notified, as required by PA89-301. IWWA decided the proposal was a "non-regulated" use but noted that they may be following up next year with a site walk to make sure the applicant has not violated the terms of Section 4 of the IWWA Regulations. Chair Gordon asked about the Conservation Commission's input and it was stated by Ms. Fey that it will be provided.

The Fire Marshal, Richard Baron, along with Fire Chief, Michael Dougherty and Mark Reynolds did a full site inspection. Due to thawing they could only drive into the first field so they walked the rest of the route. He stated

that they had 3 concerns and some recommendations. 1) They would need a report from CME for review of the drainage pipe in the brook to make sure that it can take the load of a large fire truck, 2) the access road to the interior parking lots would need to be graded and filled in with a processed base for emergency vehicles and 3) weather and ground conditions will play an important part in each event. Trucks may not be able to get in at all. The following are the recommendations, as noted in the January 16, 2014 report of the fire marshal (See full report for complete information):

1. Approval from the Fire Chief and Fire Marshal be granted before opening each event.
2. CME Engineering must supply a report to cover the pipe and drainage areas as noted.
3. Portions of the access road shall be graded and filled in with process gravel to level out.
4. Portions of the access road shall have vegetation cut back.
5. For each event, the sponsor shall arrange with the Fire Chief to have their AWD "Gator" with med board to cover the track area for injuries. The cost of the EMS personnel and the AWD vehicle shall be paid for by the sponsor of the event.
6. The sponsor shall notify each food vendor of the requirements for cooking which include a certified fire extinguisher. If cooking oils are used, a Type "K" fire extinguisher shall be used unless the cooking area is equipped with an automatic fire extinguishing system. All propane system will be inspected.

Additional questions for the Commission:

- If the ambulance on site for injuries was called away, then the event would stop until it could be back on site? Confirmed by Mr. Reynolds.
- Any information on traffic from DOT? CME gave a traffic report. Mr. Reynolds also stated that they would have constable service throughout the event and no parking would be allowed on Route 169.
- CME traffic report indicate 200-400 participants. How does that translate into vehicles? Mr. Reynolds stating that they have a clear view on the road and they are going to keep the traffic from the event moving in and out quickly.
- Would the traffic arrive and leave at the same time? Mr. Reynolds stated that the races are spread out throughout the day so that shouldn't be a problem.
- If the promoter has races scheduled from April through October, would Mr. Reynolds consider having these races during the summer months since the leafed out trees would buffer some of the noise? Mr. Reynolds stated that the problem is that that they use the property for farming during the summer months and he has an agreement with the farmer for 3 more years.
- If he was to be having 20 to 30 friends over to use the track, how would he restrict the use of the track? Mr. Reynolds stated that they can put in an agreement to restrict the use of the track to a certain number of people.
- Questions about the culvert and wetland crossing. Mr. Reynolds stated that they would be using the one wetland crossing.
- Erosion and Sedimentation controls? Mr. Reynolds stated that this was brought up during the wetlands site walk and would be controlled by the vegetation that is currently on the property. Also, the promoter would be fixing and repairing the track after each event.

Chair Gordon turned the meeting over to the public for comments and questions. The majority of the comments made were regarding the noise, traffic on Route 169 and the impact that this would have on Route 169 as a Scenic Highway and to the town itself as Woodstock is considered part of the Quiet Corner, and last, the negative impact that this would have on the real estate segment of the local economy. Some of the comments are as follows:

- Susan Bontecoy – She asked about the types of motorcycles and what the age groups are. She stated that the track will be very different looking by the end of the day. She also stated that she knows what the noise will be like.
- Phil Law (not signed in) – There is no doubt that motorcycles are loud. He can hear Thompson Speedway from Thompson. He stated that he doesn't feel that this is the right thing for Woodstock.
- Brian Dennehy – He stated he has concerns regarding Route 169 being a National Scenic Byway and State Scenic Road. He stated that right now the street motorcycles that come down Route 169 are very, very loud. He asked if this is only for 2 events per year and Mr. Reynolds confirmed. His concern is for the reduction of property values, the increase in traffic on race day, safety risks and do they have kids racing? What about the liability for younger children? Mr. Reynolds stated that the promoter has a waiver that would need to be signed. Will there be amplified music? What about contaminants that will go into the soil? He stated he would like to have his home retain some of the value that he put into it. He concluded that they live in a beautiful place where there are many beautiful old homes and they have a responsibility to take care of this special place.

- Karen Ryker thanked the town of Woodstock for the information provided and appreciates most of the questions asked. She stated her concerns as follows; traffic, noise, dust in the air, soil pollution and the potential for future development. She has some concerns stating that the J Day events have promoted family camping on the land. Lastly, she noticed that the track has an area of about 2,000 feet in the orchard area concentrated into 500 square feet and the noise that this would make right into the neighborhood would be tremendous.
- Sarah Joe Burke – She stated that the town does not have a noise ordinance but the state has one.
- Rudy Tenerowicz – Stated that he has a small orchard in the same area and the events would be during his prime season and is concerned on how this will affect his business. Most of his customers love to come here because of the quiet and Sunday is a prime day for them.
- Bruce Kosa – He stated that they hear the bikes currently when people are using the track. He wanted to know if 1000 people turned up, would they turn some of them away? Also, if this event becomes popular then will they have even more events every year?
- Donna Kosa – She stated that the noise of the dirt bikes today are much louder than they used to be even with silencers. She is concerned with the capacity on the property for the fire departments. She wanted to know if there is a governing body stating that the promoter is qualified or certified and they need to have someone who could tell them the average number and types of injuries that occur. Does the promoter have a license? What about the volunteer safety crews and are they certified? She has a fear that other property owners could add on to this and is afraid that this may go national with full broadcasting lining the woods.
- Calvin Neely - That area is called the Eye of Woodstock and is undeveloped farmland. What about pollution from the bikes in the form of oil and fluids leaking or spilling? Maybe they should issue a permit for a year and revisit it then.
- Kit Sears – He wanted to know how much land they are talking about and how would the neighbors feel if they sold it and developed the property? He felt that the citizens needed to suck it up and allow this event to go on for at least one day and get feedback from other towns to see how it goes and maybe they won't see the land developed.
- Stewart Morse – He stated that during the months of April through September, 24 hours per day they hear rolling thunder on all of the town's major roads. He feels that having this event twice per year cannot compare to that and maybe this event might bring in business for the town. They need to diversify.
- Attorney Rich Roberts, representing Margaret H. Rohloff, stated that they are not seeking to be judgmental about property owners, the operators, the participants or attendees of the event. They just want to make sure that the Commission sees all points of view and balances the rights of the various property owners. They have questions on the Special Permit application and wasn't entirely sure which of the Special Permitted uses in the regulations that this is intended to fall under. The only one that seemed at all close was a commercial recreational facility. The traffic report seems fine but it seems to understate the number of trips that would actually be generated. It doesn't take into account the vendors or the staff. Also, regarding the noise, the performance standards of their regulations basically state that no noise shall be permitted beyond the boundary of the lot or the parcel in excess of noise levels as permitted by state or federal law. The state regulations limit the noise at the boundary line between commercial and residential property at no more than 55 decibels during the day; which is the same noise as from a washing machine or dishwasher. He also stated that the bikes run pretty close to the property lines. He gave the Commission a study on motocross noise for them to look at; also stating that trees and leaves do not buffer the noise effectively particular in February and the noise will vary greatly throughout the course. Even if they meet the noise standards, they have to go back to the regulations with the 9 items listed to grant Special Permits and one of those states that it will generate minimal offset adverse impacts on the surrounding area including the reasonable use and enjoyment of the property in that area by the other property owners. This is the key item that they need to make a decision. They need to mitigate the impact on the neighbors. This permit would run with the land. He summarized 3 items for deliberation: 1) Would you want this on a property next to you? 2) How do you protect the interest of neighboring residents? 3) How do you do so without setting a precedent for the future?
- Dan Atwood (not signed in) - He stated that before the meeting he didn't know where he would stand on this application. He feels that the property owner has certain rights but he also feels a desire to keep the town peaceful and beautiful. He feels that he would oppose going forward. There are a lot of unanswered questions, in particular the Fire Marshal's comments. He worries about opening a Pandora's box where things can take on a life of their own when opportunity presents itself.
- Curt Weissinger - He lives about 1 mile away and he lived in another town about 4 miles from a similar track and every family outing that they had was interrupted with excessive and insane noise. With the proximity of the churches on Sundays, to have this noise during services would be unthinkable in this town.

•Keith O'Hara (not signed in) – He stated that he has concerns about the next generation and he wants to know what type of environmental impact that this will have, especially on the wild animals. He requested that they have an environmental study on this before making any decisions.

MOTION MADE BY DAVE FORTIN, SECONDED BY FRED RICH TO CONTINUE THE PUBLIC HEARING UNTIL THE NEXT PLANNING & ZONING MEETING OF FEBRUARY 20, 2014, AT 8:00 P.M. DISCUSSION HELD REGARDING HAVING A SITE WALK AND GATHERING AND PROVIDING MORE INFORMATION ON THIS APPLICATION. DAVE FORTIN WITHDREW MOTION.

Mark Reynolds came back up to answer questions for the Commission:

1. Age range of participants – Organizer takes care of the age range. Age range is 12 through 70.
2. Types of motorcycles – Off-road motorcycles 50 cc to 400 cc. 2 and 4 cycle.
3. Post event remedies – Left up to the organizer; they may need to grade or smooth out and fill in ruts.
4. Liability concerns - The organizer takes care of everything regarding labor and insurance.
5. Noise - He cannot control that and he will measure the distance from the boundary and they may need to centralize the track.
6. People camping out and is this allowed - They do not have intention of camping.
7. Limit on people attending – He limits to 500 and no more.
8. Resources for fire safety concerns – Yes, and they do cover the Woodstock Fair. None other than the concern of the trucks coming and going. They can approve the grounds prior to the event.
9. Volunteer safety crews – The organizer.
10. Safety for the spectators – The track will be ribboned off.
11. Load bearing of the culvert – they need to get the culvert area graded and paved.
12. History of other towns – they will research this.
13. Pollution control measures – Bikes very well maintained and no spillage.

MOTION MADE BY JOHN ANASTASI, SECONDED BY FRED RICH TO SCHEDULE A SITE WALK AT THE PROPERTY ON SATURDAY, JANUARY 25, 2014 AT 9:00 A.M. MOTION PASSED UNANIMOUSLY.

MOTION MADE BY DAVE FORTIN, SECONDED BY FRED RICH TO CONTINUE THE PUBLIC HEARING UNTIL THE NEXT PLANNING & ZONING MEETING OF FEBRUARY 20, 2014, AT 8:00 P.M. DELIA WILL WORK WITH THE APPLICANT FOR THE SUBMISSION OF ADDITIONAL REQUIRED ITEMS. COMMISSION TO REVIEW AND GATHER ALL ITEMS NEEDED FOR THE MEETING AND TO HAVE THE ORGANIZER ATTEND THE HEARING. MOTION PASSED UNANIMOUSLY.

XI. OLD BUSINESS

#SP618-12-13 Mark Reynolds, 835 Route 169 (Map 7280, Block 29, Lot 57) – Proposal for off-road motorcycle events – Pending continuance of public hearing.

XII. CITIZENS' COMMENTS – None.

XIII. CORRESPONDENCE – The State of Connecticut Siting Council sent a letter to First Selectmen, Allan D. Walker, Jr., dated January 13, 2014, regarding EM-AT&T-169-140109 – AT&T notice of intent to modify an existing telecommunications facility located at 215 Coatney Hill Road.

XIV. MINUTES OF OTHER BOARDS AND COMMISSIONS

Inland Wetlands & Watercourses Agency minutes were presented from January 13, 2014.

XV. OTHER

- Ms. Durst proposes that the letter of December 12 from Mr. Weaver be addressed by the subcommittee because the previous minutes are not reflecting the discussion concerning POCD and this letter.
- Ms. Durst questions Ms. Fey regarding the new requirement of smoke and carbon monoxide detectors in new buildings and whether this will be addressed under zoning or building? This would fall under the fire and building code enforcement.

XVI. ADJOURNMENT

**MOTION MADE BY GAIL DICKINSON, SECONDED BY FRED RICH TO ADJOURN THE MEETING AT 10:27 P.M.
MOTION CARRIED UNANIMOUSLY.**

Respectively submitted by,

 Invalid signature

X Patricia A. Lacasse

Patricia A. Lacasse

Recording Clerk

Signed by: Patricia A.Lacasse

Patricia A. Lacasse - Recording Clerk, Planning & Zoning Commission